

**UNITED STATES DISTRICT COURT**  
Western District of Virginia  
Roanoke Division

NICKESHIA M. LAWRENCE, in her  
own right and as parent and next  
friend of RICHARD ALEXANDER,  
an infant,

Plaintiff

v.

ANNE S. BLACKETT, M.D.  
and  
CARILION MEDICAL CENTER, d/b/a  
Carilion Roanoke Community Hospital,

Defendants.

CASE NO.: 7:08-CV-00108

**ANSWER**

Anne S. Blackett, M.D. and Carilion Medical Center, d/b/a Carilion Roanoke Community Hospital ("Carilion"), by counsel, and for its answer to plaintiff's Complaint, states as follows:

1. Carilion lacks sufficient knowledge and information either to admit or deny the allegations in paragraph 1.
2. Carilion admits the allegations in paragraph 2.
3. With regard to the allegations in paragraph 3, Carilion admits that the correct name of this corporate defendant is now Carilion Clinic.
4. Carilion lacks sufficient knowledge and information either to admit or deny the allegations in paragraph 4.

5. The allegations in paragraphs 5, 6 and 7 state conclusions of law to which no response is required.

6. Carilion admits the allegations in paragraphs 8, 9 and 10.

7. The allegations in paragraph 11 state a conclusion of law to which no response is required.

8. With regard to the allegations in paragraph 12, Carilion admits that it had a physician-patient (health care provider-patient) relationship with the plaintiff and provided obstetrical services to her.

9. With regard to the allegations in paragraphs 13, 14, 15 and 16, those allegations are admitted to the extent that they are materially consistent with the plaintiff's medical records. To the extent there is any material inconsistency between the allegations and the medical records, those materially inconsistent allegations are denied. The medical records speak for themselves.

10. The allegations in paragraph 17 merely reallege previous paragraphs and require no specific response.

11. The allegations in paragraph 18 state a conclusion of law to which no response is required.

12. Carilion denies the allegations in paragraph 19 (including all applicable sub-paragraphs) and paragraph 20.

13. The allegations in paragraph 21 merely reallege previous paragraphs and require no specific response.

14. Carilion denies the allegations in paragraph 22 and 23.

15. All allegations not expressly admitted, are hereby denied.

WHEREFORE, Carilion demands that this cause against it be dismissed and that it be awarded its costs.

**First Affirmative Defense**

Carilion denies that it was negligent and that any actions it took or allegedly failed to take were a proximate cause of the plaintiff's injuries and damages.

**Second Affirmative Defense**

Carilion denies the plaintiff was injured as alleged and it demands strict proof thereof.

**Third Affirmative Defense**

Carilion intends to rely upon all defenses available to it at the trial of this matter.

ANNE S. BLACKETT, M.D. and  
CARILION MEDICAL CENTER d/b/a  
CARILION ROANOKE COMMUNITY  
HOSPITAL

By: s://Paul C. Kuhnel, Esq.  
Of Counsel

Paul C. Kuhnel (VSB #28151)  
Elizabeth Guilbert Perrow (VSB #42820)  
Robert Michael Doherty (VSB #43997)  
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707 S. Jefferson Street, Suite 300  
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(540) 343-2451 – phone  
(540) 345-6417 – facsimile

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**Counsel for Defendants**

**CERTIFICATE**

This is to certify that on the 19<sup>th</sup> day of **March, 2008**, I electronically filed the aforementioned document via the CM-ECF system, which will electronically file said document to the following counsel:

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**Counsel for Plaintiff**

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